

PATENT COOPERATION TREATY

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To:

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NOTIFICATION OF TRANSMITTAL OF
THE INTERNATIONAL PRELIMINARY
EXAMINATION REPORT

(PCT Rule 71.1)

Date of mailing
(day/month/year)

04.02.00

Applicant's or agent's file reference
AD6547A

IMPORTANT NOTIFICATION

International application No.
PCT/US98/27428

International filing date (day/month/year)
23/12/1998

Priority date (day/month/year)
24/12/1997

Applicant

E.I. DU PONT DE NEMOURS AND COMPANY et al.

1. The applicant is hereby notified that this International Preliminary Examining Authority transmits herewith the international preliminary examination report and its annexes, if any, established on the international application.
2. A copy of the report and its annexes, if any, is being transmitted to the International Bureau for communication to all the elected Offices.
3. Where required by any of the elected Offices, the International Bureau will prepare an English translation of the report (but not of any annexes) and will transmit such translation to those Offices.

4. REMINDER

The applicant must enter the national phase before each elected Office by performing certain acts (filing translations and paying national fees) within 30 months from the priority date (or later in some Offices) (Article 39(1)) (see also the reminder sent by the International Bureau with Form PCT/IB/301).

Where a translation of the international application must be furnished to an elected Office, that translation must contain a translation of any annexes to the international preliminary examination report. It is the applicant's responsibility to prepare and furnish such translation directly to each elected Office concerned.

For further details on the applicable time limits and requirements of the elected Offices, see Volume II of the PCT Applicant's Guide.

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CLS NOTED

2.16.2000
MISP



NF2 6/24/2000

PCT

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference AD6547A	FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/US98/27428	International filing date (day/month/year) 23/12/1998	Priority date (day/month/year) 24/12/1997
International Patent Classification (IPC) or national classification and IPC C08L67/02		
Applicant E.I. DU PONT DE NEMOURS AND COMPANY et al.		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.


2. This REPORT consists of a total of 5 sheets, including this cover sheet.

☒ This report is also accompanied by ANNEXES, i.e. sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

These annexes consist of a total of 3 sheets.

3. This report contains indications relating to the following items:

- I ☒ Basis of the report
- II ☐ Priority
- III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- IV ☐ Lack of unity of invention
- V ☒ Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI ☐ Certain documents cited
- VII ☐ Certain defects in the international application
- VIII ☒ Certain observations on the international application

Date of submission of the demand 02/07/1999	Date of completion of this report 04.02.00
Name and mailing address of the international preliminary examining authority:  European Patent Office D-80298 Munich Tel. +49 89 2399 - 0 Tx: 523656 epmu d Fax: +49 89 2399 - 4465	Authorized officer Ellrich, K Telephone No. +49 89 2399 8295



**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT**

International application No. PCT/US98/27428

I. Basis of the report

1. This report has been drawn on the basis of (*substitute sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to the report since they do not contain amendments.*):

Description, pages:

1-22 as originally filed

Claims, No.:

1-10 as amended under Article 19

2. The amendments have resulted in the cancellation of:

- ☐ the description, pages:
☐ the claims, Nos.:
☐ the drawings, sheets:

3. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed (Rule 70.2(c)):

4. Additional observations, if necessary:

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes: Claims 1-10
	No: Claims
Inventive step (IS)	Yes: Claims 8,10
	No: Claims 1-7,9
Industrial applicability (IA)	Yes: Claims 1-10
	No: Claims

**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT**

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2. Citations and explanations

see separate sheet

VIII. Certain observations on the international application

The following observations on the clarity of the claims, description, and drawings or on the question whether the claims are fully supported by the description, are made:

see separate sheet

**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT - SEPARATE SHEET**

International application No. PCT/US98/27428

Reference is made to the following document/s/:

- D1: US-A-3 839 245 (SCHLOSSMAN I ET AL) 1 October 1974
- D2: EP-A-0 303 489 (TORAY INDUSTRIES) 15 February 1989
- D3: PATENT ABSTRACTS OF JAPAN vol. 013, no. 461 (C-645), 18 October 1989 & JP 01 178554 A (KANEGAFUCHI CHEM IND CO LTD), 14 July 1989

Section I.3:

1. There is no originally filed disclosure for adding ammonium, calcium and copper ions to the definition of compound (Cii). Even if there were a disclosure somewhere in the description, it could not be examined, since it was not part of the originally filed claims which was the basis of the search report.
2. Consequently, the examination is carried out as if said amendments had not been filed.

Section VIII:

1. It is unclear whether the phrase "...and compounds of polyphenylene oxide and polystyrene" as used in claim 1 means only blends of these two polymers or also includes each polymer alone as component A).
2. It is unclear what is intended with the wording "...plasticizer of the aforementioned" polymer (claims 1/8).
3. The range of carbon atoms on p. 11, l. 19 is unclear and contradictory to the definition in claim 1.

Section V:

**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT - SEPARATE SHEET**

International application No. PCT/US98/27428

1. D1 discloses antistatic compositions on the basis of compounds A), B) and D) (claims 1/8).
2. According to the examples (PE1/CE4 of Tab. 1) the addition of C) leads to an increased conductivity.
3. It was, however, generally known that the addition of ions to a ion-conductive polymer containing composition will increase the conductivity, furthermore D2 (p.6, l. 15-16) already demonstrate an improve antistatic effect linked with the addition of C) to such polymers.
4. Consequently, claims 1-7 and 9 lack an inventive step.
5. D3 (representing the closest prior art for claims 8 and 10) discloses antistatic compositions on the basis of compounds A), B) and C).
6. The present examples (PE1/CE5 of Tab.1) demonstrate an increased conductivity linked with the presence of a plasticizer D).
7. Since the cited literature gives no incentive to use plasticisers in order to enhance the conductivity of polymer compositions, claims 8 and 10 fulfil the requirements of Arts. 33(2) and 33(3) PCT.